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Promotion and protection of the rights of children

Angola, Benin, Botswana, Burkina Faso, Cape Verde, Cuba, Democratic Republic of the Congo, Ghana, Lesotho, Madagascar, Malawi, Mexico, Mozambique, Namibia, Nigeria, Senegal, South Africa, Swaziland, Uganda, United Republic of Tanzania, Zambia and Zimbabwe: draft resolution

The girl child

The General Assembly,

Recalling its resolution 57/189 of 18 December 2002 and all relevant resolutions, including the agreed conclusions of the Commission on the Status of Women, in particular those relevant to the girl child,

Reaffirming the equal rights of women and men as enshrined, inter alia, in the Preamble to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women[1] and the Convention on the Rights of the Child,[2]

Welcoming the entry into force of the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,[3]

Welcoming the imminent entry into force, on 25 December 2003, of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,[4] supplementing the United Nations Convention against Transnational Organized Crime,[5]

Recalling the United Nations Millennium Declaration adopted on 8 September 2000,[6]

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[1] Resolution 34/180, annex.
[2] Resolution 44/25, annex.
[3] Resolution 54/263, annexes I and II.
[4] Resolution 55/25, annex II.
[5] Resolution 55/25, annex I.
[6] See resolution 55/2.

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Reaffirming the outcome document entitled "A world fit for children" adopted by the General Assembly at its special session on children, on 10 May 2002,[7]

Reaffirming also the Declaration of Commitment on HIV/AIDS adopted by the General Assembly at its twenty-sixth special session,[8]

Recalling all other relevant United Nations conferences, the Beijing Declaration[9] and Platform for Action[10] adopted at the Fourth World Conference on Women, the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[11] and the outcome documents of the recent five-year reviews of the implementation of the Programme of Action of the International Conference on Population and Development[12] and the Programme of Action of the World Summit for Social Development,[13]

Reaffirming the Dakar Framework for Action adopted at the World Education Forum,[14]

Recalling the Declaration and Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children, held at Stockholm from 27 to 31 August 1996,[15] and welcoming the Yokohama Global Commitment 2001, adopted at the Second World Congress against Commercial Sexual Exploitation of Children, held at Yokohama, Japan, from 17 to 20 December 2001,[16]

Recalling also the efforts of the international community to strengthen the international legal framework for combating sexual abuse and exploitation,

Recalling further the International Conference on War-Affected Children, held at Winnipeg, Canada, from 10 to 17 September 2000, and affirming the ongoing importance of the Winnipeg Agenda for War-Affected Children[17] for all children affected by armed conflict,

Recognizing the need to achieve gender equality to ensure a just and equitable world for girls,

Deeply concerned about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education,

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[7] Resolution S-27/2, annex.

[8] Resolution S-26/2, annex.

[9] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[10] Ibid., annex II.

[11] Resolution S-23/2, annex, and resolution S-23/3, annex.

[12] Resolution S-21/2, annex.

[13] Resolution S-24/2, annex.

[14] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

[15] A/51/385, annex.

[16] See A/S-27/12, annex.

[17] A/55/467-S/2000/973, annex.

nutrition and physical and mental health care and in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys and often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices, such as female infanticide, incest, early marriage, prenatal sex selection and female genital mutilation,

Deeply concerned also that, in situations of poverty, war and armed conflict, girl children are among those most affected and that their potential for full development is thus limited,

Concerned that the girl child has furthermore become the victim of sexually transmitted diseases and increasingly of the human immunodeficiency virus, which have a serious impact on the quality of her life and leave her open to further discrimination,

Concerned also by the increasing number of households headed by children, in particular orphan girls, including those orphaned by the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) pandemic,

Convinced that racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls and can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and limitation or denial of their human rights,

1. *Stresses* the need for full and urgent implementation of the rights of the girl child as guaranteed to her under all human rights instruments, including the Convention on the Rights of the Child[2] and the Convention on the Elimination of All Forms of Discrimination against Women,[1] as well as the need for universal ratification of those instruments;

2. *Urges* States to consider signing, ratifying or acceding to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women[18] and the Optional Protocols to the Convention on the Rights of the Child;[3]

3. *Urges* all States to take all necessary measures and to institute legal reforms to ensure the full and equal enjoyment by the girl child of all human rights and fundamental freedoms, to take effective action against violations of those rights and freedoms and to base programmes and policies for the girl child on the rights of the child;

4. *Urges* all Governments and the United Nations system to strengthen efforts bilaterally and with international organizations and private sector donors in order to achieve the goals of the World Education Forum,[14] in particular that of eliminating gender disparities in primary and secondary education by 2005, and to implement the United Nations Girls' Education Initiative as a means of reaching this goal, and reaffirms the commitment contained in the United Nations Millennium Declaration[6] in this regard;

5. *Calls upon* all States to take measures to address the obstacles that continue to affect the achievement of the goals set forth in the Beijing Platform for Action,[10] as contained in paragraph 33 of the further actions and initiatives to

[18] Resolution 54/4, annex.

implement the Beijing Declaration and Platform for Action,[19] where appropriate, including the strengthening of national mechanisms to implement policies and programmes for the girl child and, in some cases, to enhance coordination among responsible institutions for the realization of the human rights of girls, as indicated in the further actions and initiatives;

6. *Urges* States to enact and strictly enforce laws to ensure that marriage is entered into only with the free and full consent of the intending spouses, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage and to raise the minimum age for marriage where necessary;

7. *Also urges* States to fulfil their obligations under the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, as well as the commitment to implement the Beijing Platform for Action and the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century";[11]

8. *Urges* all States to ensure that all girls have equal access to basic social services, as stipulated in paragraph 23 of the outcome document entitled "A world fit for children",[7] adopted by the General Assembly at its special session on children;

9. *Recognizes* the right of the child to the enjoyment of the highest attainable standard of health, and urges all States to ensure that any disparities in health and access to basic social services, including health-care services, are addressed, as stipulated in paragraphs 23 and 24 of the outcome document entitled "A world fit for children";

10. *Urges* all States to enact and enforce legislation to protect girls from all forms of violence and exploitation, including female infanticide and prenatal sex selection, female genital mutilation, rape, domestic violence, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, trafficking and forced labour, and to develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence;

11. *Urges* States to formulate comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to eliminate all forms of violence against women and girls, which should be widely disseminated and should provide targets and timetables for implementation, as well as effective domestic enforcement procedures through the establishment of monitoring mechanisms involving all parties concerned, including consultations with women's organizations, giving attention to the recommendations relating to the girl child of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences;

12. *Calls upon* all States and international and non-governmental organizations, individually and collectively, to implement further the Beijing Platform for Action, in particular the strategic objectives relating to the girl child,

[19] Resolution S-23/3, annex.

and the further actions and initiatives to implement the Beijing Declaration and Platform for Action;

13. *Urges* States to take appropriate measures to address the needs of orphan girls by implementing national policies and strategies to build and strengthen governmental, family and community capacities to provide a supportive environment for orphans, in particular girls, infected and affected by HIV/AIDS, including by providing appropriate counselling and psychosocial support, ensuring their enrolment in school and access to shelter, good nutrition and health and social services on an equal basis with other children, and to protect orphans and vulnerable children from all forms of abuse, violence, exploitation, discrimination, trafficking and loss of inheritance by 2005;

14. *Urges* States to take special measures for the protection of war-affected girls and in particular to protect them from sexually transmitted diseases, such as HIV/AIDS, gender-based violence, including rape and sexual abuse, and sexual exploitation, torture, abduction and forced labour, paying special attention to refugee and displaced girls, and to take into account the special needs of the war-affected girl child in the delivery of humanitarian assistance and disarmament, demobilization and reintegration processes;

15. *Notes with concern* all the cases of sexual exploitation and abuse of women and children, especially girls, in humanitarian crises, including those cases involving humanitarian workers and peacekeepers, welcomes in this regard the Secretary-General's Bulletin on special measures for protection from sexual exploitation and sexual abuse[20] and other policies and codes of conduct developed by the United Nations system to prevent and address such incidents, and requests contributing countries to incorporate the six core principles of the Inter-Agency Standing Committee on Emergencies[21] into pertinent codes of conduct for peacekeeping personnel and to develop appropriate disciplinary and accountability mechanisms;

16. *Urges* all States and the international community to respect, protect and promote the rights of the child, taking into account the particular vulnerabilities of the girl child in pre-conflict, conflict and post-conflict situations, and calls for special initiatives designed to address all of the rights and needs of war-affected girls;

17. *Calls upon* Governments, civil society, including the media, and non-governmental organizations to promote human rights education and the full respect for and enjoyment of the human rights of the girl child, inter alia, through the translation, production and dissemination of age-appropriate information material on those rights to all sectors of society, in particular to children;

18. *Calls upon* States and international and non-governmental organizations to mobilize all necessary resources, support and efforts to realize the goals, strategic objectives and actions set out in the Beijing Platform for Action and the further actions and initiatives to implement the Beijing Declaration and Platform for Action;

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[20] ST/SGB/2003/13.

[21] See A/57/465, annex I, para. 10 (a).

19. *Requests* the Secretary-General, as Chairman of the United Nations System Chief Executives Board for Coordination, to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Development Fund for Women, the World Health Organization, the United Nations Development Programme, the Office of the Nations High Commissioner for Refugees and the International Labour Organization, take into account the rights and the particular needs of the girl child in the country programme of cooperation in accordance with the national priorities, including through the United Nations Development Assistance Framework;[22]

20. *Requests* all human rights treaty bodies, special procedures and other human rights mechanisms of the Commission on Human Rights and its Subcommission on the Promotion and Protection of Human Rights to adopt regularly and systematically a gender perspective in the implementation of their mandates and to include in their reports information on the qualitative analysis of violations of the human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

21. *Stresses* the importance of a substantive assessment of the implementation of the Beijing Platform for Action with a life-cycle perspective so as to identify gaps and obstacles in the implementation process and to develop further actions for the achievement of the goals of the Platform for Action;

22. *Requests* Member States to ensure that, in preventing and addressing HIV/AIDS, particular attention is paid to the girl child infected and affected by HIV/AIDS;

23. *Decides* to review progress made on the protection and promotion of the rights and well-being of the girl child, and requests the Secretary-General to provide information relating to the girl child in his reports on the implementation of the outcomes of any major United Nations conferences and summit meetings that will come up for review in 2005.

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[22] See A/53/226, paras. 72-77 and A/53/226/Add.1, paras. 88-98.